United States Environmental Protection Agency

July 2017

Rebuilding an Old Repository in the Canyon Creek Area:

EPA Response to Public Comments

EPA is planning to rebuild an old waste repository that is leaking contaminants into Canyon Creek, near Wallace, Idaho. The old repository is referred to as the Silver Valley Natural Resource Trustee (SVNRT) repository. EPA plans to reconstruct it to address the leaking contaminants, and allow for future mine waste disposal from high priority Canyon Creek mine and mill site cleanups. The rebuilt repository will be called the Canyon Complex Repository. EPA requested public comment on two repository design plans from March 22 to April 21, 2017. Please see our March 2017 fact sheet for details on the design plans: (http://semspub.epa.gov/src/document/10/100042485).

EPA is selecting Option 2, based on community input and design considerations. In addition to the comments from community members selecting Option 2, this option has the following advantages:

1) Public access road coordination will be easier;
2) We can safely secure eight more acres of mine waste materials than available with Option 1;
3) Waste will not be placed over the known groundwater spring locations; and
4) Access to the Lower Burke Canyon Repository (LBCR) decontamination facilities will be easier and more cost effective.

The Basin Commission's Citizen Coordinating Council hosted a Public Open House about the repository on April 5, 2017. Thank you to everyone who provided comments and participated in the Public Open House. We received 35 comments from 15 people, which we carefully reviewed and considered. Below you'll find the public's comments and EPA's responses.

Comments on Repository Design Options:

We recommend that you select Design Option 2 and develop the repository to the North and offer the following justification; 1) Building to the capacity of 1.5 M cy could potentially be expanded, 2) the footprint is larger at 32 acres and will be able to take more waste, 3) Option 2 will not require placing waste over the known groundwater springs (which Option 1 would and this has been one of the problems since 1995), 4) public access and road coordination would be easier with Option 2, 5) access to the decontamination facilities will not require crossing over the existing storm-water pond, 6) single power line/ pole relocation in Option 2 rather than multiple power lines/poles, and 7) the clean borrow material for capping the repositories will be readily available, easy to access, and the stock pile locations for salvaged soils will be easily accessible.

Option 2 is best.

My husband and I live near the repository. From our home, I can see parts of the repository discussed for rebuilding in the news article. That said, my questions are about the images in the News Press of Option 1 and Option 2 for the SVNRT Repository project: Will I be seeing from my view, large cemented structures? Or are these just portrayed as such in the proposal images? Will the project be removing a large percentage of the existing forest to build these structures?

I agree that something should be done with this faulty repository but I don't agree with the solution. I believe removing it from the riparian area and into another existing repository is a better option. Your chosen area, adjacent to the existing repository, is the ONLY green space (grass) in the lower Canyon Creek riparian below the Star Mine. Also the property that has been purchased for this endeavor has been deemed okay or has been remediated. If, as stated, the true purpose and need of the cleanup is "to protect people and the environment" then I certainly think retaining the portions of the landscape that have already been SUCCESSFULLY treated or have been stabilized with vegetation, should be retained. Adding another 1.5 million cubic yards of mine waste to this area is unconscionable. No information has been shared as to exactly where this waste would be removed from within Canyon Creek. A lot of the mine dumps/waste have been there for a hundred years or more and some are inaccessible. I have NEVER seen people recreating on these sites. If these sites are disturbed, contaminants will be more readily available for dispersal or leaching. At this point in time they are comparatively stable. Therefore, neither Option 1 nor Option 2 are viable alternatives. An alternative addressing only the active leaching from the 1995 actions (faulty repository) should be addressed at this time. The pamphlet also states that the EPA's ROD "calls for" (whatever that means…will happen?...maybe happen?...never happen but it sounded like a good idea?) seeps and other contaminated waters and pipe them to the Central Treatment Plant. It states that the action is many years in the future. I hope this way of thinking doesn't go by the wayside and that other options continue to be thought about. New ideas and techniques will evolve. I don't believe the options developed this time are good ones and I don't think there is an immediate need other than fixing the existing leaching piles. Let sleeping stable mine waste lie.

Response:

The large, "concrete like" structures shown in EPA's March 2017 fact sheet (https://semspub.epa.gov/work/10/100042485.pdf) were provided to show the size of the two repository options. The repository, when built, will not include any concrete structures. Access gates and perimeter fencing will be installed to prevent access. Grasses and shrubs will be planted on the surface of the repository following construction. The design will include features such as a base drainage layer and final cover system. These elements of the plan are designed to isolate the waste from groundwater and surface water, protecting the creek from further contamination.

The Coeur d'Alene Trust's (Trust) contractors expect to clear about 17 acres before construction. This area was selected for expansion of the repository in order to address several issues. These include previous concerns from homeowners on the uncontrolled use of this area, active seeps into the stream, and need for a larger disposal location for the cleanups up Canyon Creek. The yard and immediate area around the buildings at a nearby property were

previously cleaned up. There are other impacted portions of the nearby property that were not addressed. The Trust will use soil from clean areas of the nearby property to cover the new repository and allow stabilization to occur.

It is likely that mine waste from Canyon Creek cleanups will contribute about 900,000 cubic yards to the new repository. This mine waste will come mostly from Canyon Creek mine and mill site cleanups and associated stream areas. These sites are identified in EPA's 2012 cleanup decision for the Upper Coeur d'Alene Basin, called the Record of Decision Amendment (RODA). Releases from these mine and mill sites discharge directly into the creek from multiple locations. If they are not cleaned up these discharges will continue indefinitely. The zinc surface water concentrations in Canyon Creek result in some of the highest loading in the upper Coeur d'Alene Basin. For example, in 2016, it was estimated that Canyon Creek had a zinc load of over 600 pounds per day during peak flow. During this same time period, about 90 pounds per day of lead went into the creek. EPA and the Trust will collect data from each Canyon Creek source site before determining which part of each site should be addressed. Areas that are below cleanup action levels will remain in place. EPA expects that habitat improvements, which will add green space, will be part of future Canyon Creek cleanups.

The selected remedy in the 2012 RODA calls for addressing the seeps from the repository by installing a toe drain and collecting the water seeping from the repository. The water would be piped to the Central Treatment Plant for treatment in perpetuity. Installing the toe drain and piping are many years away. By transferring the mine waste from the old repository in the next few years, metals will be kept out of the creek and groundwater more quickly than just through the toe drain and water collection remedy, reducing possible exposure to people and wildlife much sooner. In addition, by eliminating the seeps and the need for collection and treatment, future cleanup operation and maintenance costs will be reduced.

Comments on Haul Route Options:

We also recommend that Repository Access Haul Route #2 be selected due to ease, safety, cost, and the designed route doesn't call for the road to cross over Canyon Creek like Route 1 would. The general configuration of the design makes sense and EPA and the Work Trust have addressed the communities concerns about traffic and dust issues.

Repository Access Haul Route #2 is obviously the only viable haul route if you are concerned about human health and safety as Gray's Bridge Rd is directly across from the low income apartments which inherently equates to small children on site.

One of the reasons given for hauling into the Canyon Creek site is to "help avoid transport of waste through multiple residential communities." This haul route would logically be via I-90 which is not any different from past practice from other remediation activities.

Response:

EPA's highest priority for this new repository is to provide room to move about 500,000 cubic yards of waste out of the current leaking SVNRT, and add about 900,000 cubic yards of waste materials from Canyon Creek cleanups. The Canyon Creek cleanups are located further up the canyon from the new repository location. Haul trucks will be moving the mine waste from these cleanups directly to the repository, without going through the Woodland Park community. For

the safety of local residential communities, drivers of trucks hauling contaminated waste are required to cover their loads and observe speed limits, as discussed on page 6 of this document.

Comment on Waste Volumes and Siting:

Last year at the public comments for the LBCR, I was told about the idea of a new repository by the SVNRT repository. My question was if the CDA trust let more material come from outside of canyon creek to go on the LBCR where would the estimated 1.8 million yards of material go from canyon creek cleanup. I was told again about the new repository. My question than was what happens if the new repository was not approved? The CDA trust answer was that they would find a place up the canyon to put it. I believe this option has not been fully explored. If a repository site could be located up the canyon closer to the area to be cleaned up would this not save money and reduce the truck traffic in populated areas. My belief is that the new repository is being built so that when BCR is full, that this new repository will be the main repository for the valley. I believe that when canyon creek cleanup begins in the upper reach, EPA will find a place closer up there to build a waste consolidated area and make more room at the new Burke repository to be used as a replacement for BCR. Maybe EPA should look at the Osburn repository area that scored higher than canyon creek, for building a valley wide repository. Some of the reasoning for using Burke canyon is that it keeps trucks for going thru communities like Wallace and Osburn. If the Osburn repository would have been developed, like it should have, the trucks would have traveled on I-90. There are only one or two residents at the mouth of 2 mile and nowhere near as close to the more populated area of Burke Road.

Response:

EPA has carefully evaluated other possible locations for repositories up Canyon Creek, and we have found no other areas that we believe are suitable. By building the new repository close to the old repository, the haulers will move the 500,000 cubic yards only a short distance. The Trust also estimates that the upstream Canyon Creek cleanups will bring a total of 900,000 cubic yards of mine waste to the new repository. When this mine waste is moved it will not have to go through Woodland Park. If the waste was placed at the proposed Osburn Tailings Impoundment, then all of the waste upstream would have to be transported past the Woodland Park area.

Comment on Site Selection and Leaking Contaminants:

The site that is leaking contaminants was constructed sometime between 1995 and 2000. I found an aerial photo dated 1997 that shows a base for that repository had been constructed so I am guessing that it took another two to three years to place 610,000 cubic yards of mine waste and complete this project. So the "'carefully" chosen area that was "carefully" engineered failed within a twenty-year period. That's horrible considering the cost of the project and that the knowledge and technology of that time should have produced a GOOD result. I heard that local knowledge of an existing spring located on the site where the repository was located was shared but not heeded."

Response:

Comment noted.

The Trust's current investigations include monitoring water levels in about 30 wells, and site visits to check for seeps in the area. In addition, EPA oversees the Trust to ensure they follow a comprehensive planning, oversight, and reporting process in compliance with the Statement of Work agreement with EPA.

Comments on Wildlife:

The Woodland Park area is a natural animal corridor. The elk heads across there as well as deer, moose, coyotes. As of now the games must cross at Gray Bridge or in the yard of the house below. An animal corridor, crossing designed into this project would give the animals a safe crossing. If not, it will force the game into the populated neighborhoods. This is also a great PR for everyone involved to address. Include the wildlife. Thanks for your consideration.

Is the water in the shallow ponds and vegetation safe for the wildlife to consume in the repository area? Is that an issue that can or should be addressed? What is the impact of the proposed project and the existing conditions at the repository location for migrating and moving elk crossing the Canyon Creek and repository in the vicinity of the repositories? How is wildlife being affected now? How will wildlife be affected during construction and operation of the revised repository?

Another worthwhile project may be to remove the depressions that were created in 1995-2000. These pools do nothing more than hold water which attract migrating waterfowl (I have observed them landing and feeding), and the pools then grow grasses and forbs which the elk graze on (which I have also observed). It has been proven that heavy metals are present in this type of vegetation and enter the human food chain through consumption of game animals. A "green" travel corridor complete with a creek crossing connecting to the previously remediated area could be created to allow the deer, elk, moose and whatever else to utilize their historic crossing area without lingering to forage on toxic vegetation. It may sound ludicrous but elk have "learned" to cross a narrow concrete pedestrian bridge through a large asphalt basketball across from Wallace High School. This has been witnessed.

Response:

EPA visited the site with the Trust to view possible wildlife corridors, and assess how we can maintain these corridors with the new repository. The new repository design does not appear to alter the way that wildlife currently travels around the LBCR. The ponds near the repository area have water year-round to some extent. They extend throughout a few miles of the flood plain corridor in Canyon Creek. They were installed in the 1990s, as part of the earlier SVNRT cleanup efforts by the Silver Valley Natural Resources Trustees. The shallow ponds within the flood plain will not be altered as part of the new repository construction. The riparian areas in Canyon Creek, including these ponds, are included within the cleanup decision, or "RODA." We anticipate that sampling will be completed as part of future cleanup efforts in this area.

The water in Canyon Creek is high in metals, particularly zinc and lead. Cleanup evaluations of this area will include ways to improve wildlife habitat, in addition to removing continuing

sources of mine waste contamination. Due to upstream metals releases, and metals contamination in sediment, floodplain soils, and surface water, there are no fish in Canyon Creek below the Star Mine. EPA will work with the Trust to prioritize areas in Canyon Creek identified for cleanup.

Comments on Air and Noise Pollution:

I am concerned of potential air and noise pollution.

I can smell the diesel when sitting on my porch.

Another of the complaints for using Burke Road is the exhaust smoke coming from trucks used for the cleanup and dust coming off the trucks. Last year the trust started a program to give financial incentives to reduce diesel emissions from contractor's vehicles. As far as I can find out, not one vehicle has taken advantage of this. With the new repository and the extra traffic, what would EPA do to protect the health of Burke Road residents from the diesel emissions? One of EPA responses in the past is that many contractors may not be able to afford newer equipment or install upgrades, regardless of any incentive, and should not be eliminated from being hired for that reason alone. This statement shows how much EPA is worried about the Health of Burke road residents. As far as dust coming off of trucks, in the EPA response to public comments 2016, it states extra steps will be taken to the extent feasible to dampen loads before leaving their construction sites to help control dust from the truck. So what is feasible? A contractor can't afford to have a water truck, so dust control is no longer an issue? If dust control is part of a health and safety plan, its cost should already be figured into the bid and there for feasible! A request was made of EPA to do air monitoring for dust and diesel emissions last year, and EPA refused. How would anything be different with a new repository up Burke Road?

Response:

Safety is a high priority for EPA. We will continue to work with the Trust and Panhandle Health to reduce risks to local communities. The following measures are currently in place at the LBCR: 1) the haulers carrying contaminated material are required to cover their loads. Any hauler without a tarp is allowed to dump that load but is given a warning and is not allowed to return a second time without a tarp; 2) dust control is done during the removal of contaminated material. Workers use water trucks to wet contaminated rock and soil materials. Please see EPA's recent flyer for further information: (http://semspub.epa.gov/src/document/10/100047327).

The Trust started a diesel emission reduction program in January 2016 and expects the program to run through December 2020. Each year EPA evaluates progress toward the emission reduction goals. In addition to the requirements of this program, the Trust offers financial incentives to contractors working on their projects who choose to further reduce air emissions by installing diesel particulate filters.

Comments on Speed Limit and Enforcement of Truck Rules:

Change 45 mph speed at Woodland Park to 35 mph until you get above houses.

In the past, we were told that the trucks had to obey the rules of the road. Some of the complaints have been on the contractors speeding, swerving into oncoming traffic to miss the

manhole covers and dirty loads not being covered. To which EPA's response has been that they cannot control this to call the sheriff's office. EPA did have a reader board placed on the road. But with no enforcement, it just became a speedometer check. The board was left out on the road and only worked approximately 75% of the time. One of the suggestions has been that if a contractor is caught not following the rules, then they have to use a different repository to dump at for a few days. This would give the contractor added expense and also give them an incentive to police themselves. EPA response has been they cannot tell the contractors where to haul their dirty dirt too. In an EPA news letter, EPA states that if a contractor arrives at the repository without their tarp on, they are advised that if this occurs again, they will be rejected for disposal and sent to another repository incurring additional cost to the hauler. If EPA can do this for not having a dirty load covered then why can't they do this for not following the rules of the road? Why place the burden of policing your projects on the Shoshone County tax payers and sheriff's office. This all goes back to contractors not following their health and safety plan, and the trust and others not enforcing the plans. Just for public information, what are EPA, DEQ and the CDA Trust enforcing as far as health and safety plans? I believe that the same problems will occur to a greater extent if a new repository is built in canyon creek. How would anything be different with a new repository up Burke Road?

Response:

Thank you for sharing your concerns. EPA takes the safety of communities seriously. The Trust and Panhandle Health District will continue to monitor the haulers coming into the repository during the work season. Truckers are expected to comply with traffic rules, including speed limits. Panhandle Health District conducts mandatory training for ICP contractors**.** This training is offered on a weekly basis and includes information on the importance of obeying cover requirements, speed limits, and designated routes.

Two new speed notification signs were added to the one already in operation. The Trust's contractors are checking the signs each morning to ensure that they are operating. Trucks using the repository use State Highway 4 (also known as Canyon Creek Road), which has a speed limit of 35 mph in the lower section of Canyon Creek, and 45 mph through the LBCR access road. Speeds are set by the Idaho Transportation Department (ITD). The Shoshone County Sheriff serves this area. While EPA cannot reduce this speed limit or enforce against traffic violations, we have informed both ITD and the sheriff about neighborhood complaints.

Comment on Burke Road and Infrastructure Damage:

In the 2016 public comments it was brought up about the possibility that Burke road would be damaged from the extra traffic and concerns about the manholes covers repeatedly being ran over by the loaded trucks. EPA response was that they would notify ITD about this concern. After a year of the extra truck traffic I was told by a neighbor that the sewer district has tried to remove some off the man hole covers to inspect and that some of them have been pounded down from the trucks that they cannot open them. The added truck traffic up Burke Road is another reason why I do not believe a new repository should be built up Burke Road. How would anything be different with a new repository up Burke Road?

Response:

EPA will continue to update the Idaho Transportation Department regarding Burke Road residents' concerns. Citizens can call 208-772-1200 with questions or complaints regarding Burke Road.

Comments on Publicity About Public Open House:

My husband and I have attended Q/A sessions from the EPA in the past. However, we were unaware of the recent meeting.

The scoping process was inadequate IF timely and meaningful comments were truly being solicited from the people in the immediate vicinity of the proposed project. I was alerted to the April 5th meeting by a neighbor. Apparently a small article appeared in a Sunday paper. An article offering an explanation of the proposed project did not appear until April 12th obviously after the public meeting. A comment was made that door-to-door solicitations were stopped after a verbal confrontation. I haven't spoken to anyone that was contacted so I don't believe many contacts were made. If someone wasn't comfortable making contacts then someone else should have done so. Nothing was posted in the Wallace Post Office nor any local establishment, for instance Harvest Foods grocery store.

Response:

We are sorry that our notifications about the Public Open House did not reach you directly. If you have further questions, we are available to set up a call or meeting for you with our repository team. We want to encourage local community members to participate meaningfully in all of our public review processes, and give timely notice. To ensure broad awareness, we publicized this event in several ways. We ran paid display ads in the Coeur d'Alene Press, the Shoshone News Press, and the St. Maries Gazette on March 22. In mid-March, we mailed a fact sheet and meeting invitation to our site mailing list of nearly 1,000 addresses. We also sent an electronic notice to our site email list of about 3,000 addresses. The Basin Environmental Project Improvement Commission sent an invitation to its listings, as well. Facebook posts about the Open House appeared on March 22, 23, 28, 30, and April 4 (www.facebook.com/CDAbasin). Our website (https://yosemite.epa.gov/r10/cleanup.nsf/sites/bh) also features information about the Open House and comment period.

Additionally, our local community liaison personally visited several locations as part of our notification effort. She posted fliers at the Sheriff's Department, the Post Office, and the grocery store. She left copies at the courthouse, the laundry room of an apartment complex, local shops, and the Mayor's place of business. We are aware that, on occasion, the material we post has been taken down. Our local community liaison also spoke at the Silver Valley Economic Development Council and the Wallace Chamber meeting, met with County Commissioners, and spoke with a council member about the Open House and comment period. Our community liaison has been directed to provide door-to-door notifications only when she is fully confident that it is safe to do so. In this case, an encounter with a resident made her uncomfortable, and she appropriately opted not to continue door-to-door visits. Also, because the information box at Gray's Road was smashed, she was unable to place fliers in it. In regards

to the news article, the press chose to publish an article about the project after the meeting, at their own discretion. EPA does not have the authority to direct the media.

Even with all the publicity, we realize that it is difficult to reach everyone. Both of these commenters have been added to our mailing list. We invite everyone interested to get on our site mailing list. Simply provide an email and/or mailing address to Debra Sherbina at sherbina.debra@epa.gov; 206-553-0247, or 800-424-4372.

Comment on No Presentation at Open House:

If you just happened to hear about the meeting and attended, there was no formal public presentation. Therefore, you had to ferret out the information yourself. Myself, and some neighbors attended the meeting together and asked for some sort of presentation. Some explanation of the project was given though at times incomplete or conflicting. After the meeting one person commented that it felt as if there was a concerted effort to split this group up. I agree. Again that inhibits by shutting down any group discussion which may spark another thought or concern.

Response:

Thank you for attending the Public Open House. We designed the format of the Open House in response to previous input from the public. In the past, community members noted that the traditional formal meeting format with presentations, followed by question and answer sessions, was not working well for them. That format did not always give all community members a fair chance to be heard. Also, we heard that it could feel intimidating to some to express opinions or ask questions in front of an audience. Finally, if other commitments in the afternoon or evening conflicted, it could be hard for people to time their attendance to hear the presentation. In response, we designed this event to give attendees the flexibility to drop in at a time convenient for their evening schedules, see detailed displays about the project, collect informational handouts, have a chance to meet personally with project managers, and ask questions in a conversational setting. Group discussions at these events are common and welcome. If you are interested in further discussion, we can set up a call or meeting for you with our repository team.

Comment on Accepting Comments After the Comment Period:

At the April 5th meeting I was told that comments would still be accepted after the April 21st deadline.

Response:

Yes, late comments were accepted. They are part of the record and included in our response. Thank you for participating in the process.

Comments on notification about superfund project:

I wasn't informed I was living across a Superfund project when I bought my house and was surprised to hear of this big project.

It's true that 2 homes have sold in my neighborhood in the past year. Neither family was aware they had bought a home in a Superfund Site let along the now proposed activity. I do not wish to

be held liable for something that a representative fails to disclose.

Response:

We're sorry you didn't know about the Superfund Site. All realtors selling homes in this area are required to include information about the Superfund Site in the documents prepared for signature prior to home purchase. Panhandle Health also gives extra training for realtors as part of their continuing education.

Comment on Consideration for Local Residents:

Residents in Canyon Creek have not been given any consideration in this planning process. This is the only repository that has homes close to its proximity. The effects that you were sparing other communities have landed solely on this community. Basically we have been handed the short end of the stick. I have personally suffered through 3 remediation projects that have had negative effects on me and my neighborhood. I do believe in the cleanup activities however they DO HAVE negative effects. Dust, exhaust fumes, traffic, hauling traffic noise, noise from heavy equipment, speeding and jake brakes are inherent in these projects. It has caused me much stress and anxiety and frankly I'm done. I have suffered and my attitude about my home has changed. It's become a place I hate returning to. I do not wish to spend half of my lifetime living next to an industrial site. The increased traffic on Highway 4 will be significant as well. At the meeting we were told the activity would equate to 300 trucks a day from 7 am to 5 pm and the activities will take 10 years. An active heavy metals dump site and long-term activities will have an effect on property values. So I propose that the Basin Commission buys my property. I have no hope of being able to sell it at a price reflective of a normal neighborhood. Living in this neighborhood under these circumstances WILL have negative impacts on my health. It's never ending and I am literally sick and tired of the process. I hate living in this environment.

Response:

Thank you for your heartfelt comment. It is clear that you feel the repository has been a burden to you and the local community, and a source of much personal stress. This public comment period is part of our effort to hear from people and find ways to make the repository less of a burden. We understand that repositories can have negative impacts on the neighborhoods around them. While some level of impact is unavoidable, we want to do what we can to be good neighbors. Repositories help reduce risks posed by metals like lead and arsenic. It's a priority to provide cities and counties with a well-managed facility that will take in mine waste year-round. Moving waste from several sites into one smaller, managed location helps control sources of contamination.

Your concerns about specific negative effects are addressed in other responses in this document (see pages 5, 6, 7, 13, and 14). We are committed to finding ways to solve issues wherever possible, while we work to protect people's health and the environment for the long-term.

There is currently a high volume of trucks from City of Mullan and Wallace projects coming up to LBCR. The county expects these projects to decrease after 2018. The priority for the new repository is to safely transfer the waste material from the SVNRT and to take mine waste from upcoming Canyon Creek cleanups. The Trust expects the majority of hauling to take place above

most of the residential areas along Burke Road. The Canyon Creek areas continue to contribute some of the highest zinc levels to the creek and the Coeur d'Alene River.

In 2009, EPA and the Idaho Department of Environmental Quality worked with the public to develop criteria for selecting repository locations. This location was selected after evaluation with the following criteria, listed in order of importance: Impacts to people living and working near the repository; Preservation of development potential; Size (large size better than small size); Impacts to the floodplain; Impacts to surface water; Impacts to fish and wildlife; Minimize trucking costs; Minimize truck traffic; Impacts to wetlands; Location relative to mapped faults and landslides. EPA considered these criteria, in addition to previous site screening work performed in 2002, when considering this location. During 2002 the site was given an overall score of "average," and received a "poor" rating for the category of proximity to local residences. The "poor" rating was based on the distance to the single residence at the end of Gray's Bridge Road; however, that property has since been acquired by the Trust.

Cleanup activities can affect property values in both negative and positive ways. We have heard many reports from community members and local officials about the positive impact the cleanup has on local jobs by giving people the ability to work in a safer, cleaner environment. It has been shown that once cleanup is completed at many Superfund sites, property values tend to go up. However, due to the extent of contamination in the Basin, it will be some time before the cleanup is completed. EPA is close to completing property cleanups and roads in many community housing areas, which is an important consideration for most lenders and realtors.

Comment on Access Restrictions:

Will this area be FULLY protected from traffic/four wheelers?

Response:

Yes. The new repository will be fenced to prevent access to pedestrian and four-wheeler traffic.

Comment on Economic Impacts:

Economic impact on Wallace:

- *Fuel purchase*
- *Traffic numbers*
- *Number of new employees*
- *Other purchases*
- *Start and finish times*

Response:

The Trust hires local engineering and construction firms and requires that at least 80% of the workers come from the local labor pool. We expect that these workers will purchase fuel and other products at local stores.

We expect that the hours for the new repository will be similar to current hours at the LBCR. Haulers can bring waste to LBCR during normal operating hours of 7:00 am to 5:00 pm, Monday through Friday.

Comments on Construction Schedule:

When would you expect work to start on this project? Will this project be a public bid opening?

Response:

The Trust expects to issue the public request for proposal in 2019 or 2020. Request for qualifications and request for proposal notifications will be publicized in the local papers. Construction is expected to start in 2020 or 2021.

Comment on Wildfire Risk:

We are concerned about the potential negative consequences and potential damage on the repository site (as well as other remediated areas in the Bunker Hill Superfund Site) given that wildfires could occur at multiple scales that may impact those sites. The possibility of major overland flows and rill soil erosion could occur given the post-fire effects in regards to soil stabilization. We believe there should be a risk assessment and action plan that will take steps to protect major investments of time and money involving the remediation and stabilization work at the Canyon Creek Repository site. We suggest that a plan be part of the repository construction that would include the following.

Establish pre-determined triggers for mitigation measures to be implemented prior to an actual wildland fire.

Plan for an immediate Post-Fire (Incident) response by implementation of a BAER (Burn Area Emergency Restoration) Team. This Plan would include all issues with the fire, but would emphasize soil stabilization prior to fall rains.

Undertake preventative measures by further assessment in order to realistically institute a fuels reduction program within those areas pre-identified by a "Risk Assessment Team." This would involve treatment to mitigate the effects Stand Replacement Fires would have on EPA-Superfund Sites.

Establish an ongoing vegetation management program since trees and brush come in after treatments and areas need to be retreated.

While flooding risks may take center stage in the consideration of the sites stability, unique risks resulting from wildfire must also be considered. During the operations of the smelter located at Smelterville, an enormous volume of pollutants were expelled into the atmosphere. Contaminated soils could be exposed during an intense wildfire, and upstream and overland flows could move materials at the repository.

In either event, we ask the EPA to work with area forestland owners (private, state, federal), the Idaho DEQ, BEIPC, and others to develop a pre-disaster response protocol on the repository site. In this way, a comprehensive response can be developed before a wildfire occurs.

Response:

An operation and maintenance (O & M) plan will be developed for the new repository. It will include monitoring and mitigation measures for any potential damage to the repository, including from fire or erosion. Most repositories are covered in grasses and small shrubs, and

clean soil will be exposed if these were burned by a fire. The O & M plan will include revegetation of any damaged areas from fire or other impacts.

Comment on Soil Amendments and Heavy Metal Containment:

One of the key components of safeguarding the deposits will be to contain them on site, and where possible to re-vegetate the sites. One material that can help with both efforts is biochar - an activated carbon that is produced in pyrolysis and is available as a soil amendment. Biochar not only stores nearly 30 times its weight in water, it provided nutrients for plant growth, and increases pH - which is a bonus in acidic soils. It can also trap heavy metals, due to its cation exchange capacity (CEC), which would tend to keep metals from migrating offsite. We have more information and research we can share on this topic if you are interested.

Response:

Yes, biochar can be an effective treatment of acid mine drainage. During design of the soil cover system, the characteristics of the available soil will be evaluated and amendments will be considered, if needed, to compensate for soil deficiencies. EPA anticipates that the soil cover system will be evaluated in late 2017 or early 2018, after final data is available from the August/September 2017 soil sampling.

Comment on Repository Hours of Operation:

Last year the LBCR was to be open from 7 am to 5pm, part of the year this did not happen. Cda trust contractors where letting trucks come in before 7am and they were still letting them dump after 6pm. In e-mails with EPA personal, I found that some of them did not even know what the open and closing time was that was told to the public. What would be done with the new repository to keep the Cda trust from getting confused on the operating hours? How would anything be different with a new repository up Burke Road?

Response:

We expect that the hours for the new repository will be similar to current hours at the LBCR. Haulers can bring waste to LBCR during normal operating hours of 7:00 am to 5:00 pm, Monday through Friday. Institutional Controls Program (ICP) waste is occasionally delivered outside of these hours, with the use of a gate access card provided by the ICP. Please see the following recent flyer for more information: (http://semspub.epa.gov/src/document/10/100047327).

Comment on Sediment Control:

After reading the 30% design plan of the new repository and comparing it to the 30% design for LBCR, it looks like EPA and or the Trust still has no plan for sediment control. It should now be known that sediment control on the creek side of LBCR was never designed to handle water runoff. Since drainage ditches made of cobble and sand, do not hold water or sediment from going directly into the creek. The answer that the runoff water is cleaner than what is in the creek currently really is not an answer at all. If this is EPA's stance, than the South Fork Sewer District and the mining companies should not be being bother with regulations, as long as their discharge is equal to or cleaner than the creek. How would anything be different with a new repository up Burke Road?

Response:

EPA has put the following sediment control measures in place at LBCR: 1) on top of the LBCR there is a silt fence to capture sediment before it reaches the slopes; and 2) there are drainage ditches along the bottom perimeter of the LBCR to control runoff from the slopes. As water seeps through the cobble and sand material, the sediment is deposited in the bottom of the ditches. After winter, when the area is accessible, it is inspected weekly and cleaned out as needed. Sediment control features for the new repository will be included in future design documents.

COMMENT ON BUILDING A REPOSITORY ON A FAULT:

The Osburn Fault is the main fault that runs thru the silver valley! It is a strike/slip fault. The new repository that EPA is proposing is directly on top of it accordingly to the 1965 USGS map of the valley. I understand that this fault has not been active for around 70 million years; can EPA or the Cda trust tell me if it will become active tomorrow or when it will? It's bad enough that part of lbcr is built on the Golconda fault less than half a mile from the Osburn fault. I have read the 30% design for the new repository and nowhere does it even mention that the new repository would be on top of a fault. Was this left out on purpose or was this just poor engineering on the CDA trust and EPA? In the 30% design of the LBCR, the Osburn fault was mentioned but not a word about this fault in the new repository 30% design even though the repository will sit on top of it. The water seeps that have plagued the SVNRT repository will, in my opinion, have the same effect on the new repository. An article that I have read on the characteristics of fault and shear zones, states that many faults zones are wet even above the water table, and water moves along them at various rates, but some also serve as subsurface dams, ponding ground water as much as several hundred meters higher on one side than on the other. With the new repository being built into the fault zone, what are your plans on controlling the water coming out of it? Any control you do come up with, what would happen if the fault moves? I believe any slip in this fault would cause any design that you come up with to fail and you would have the same problem as the SVNRT repository has today. If the CDA trust can stop the water where is it going to go? Has EPA ever built a 2 million yard hazardous waste repository on a major fault? Does EPA blindly accept engineering designs from the CDA Trust (a private entity) for CDA Trust projects or does EPA seek out a non bias engineering opinion of the plans? There are other areas that are not on faults to build a waste consolidated area if looked into. It amazes me that the EPA/Trust, at the open house, are more concerned about what to name their new repository then the fact that they are building it on a major fault.

Response:

We agree that there are many faults in this area of Idaho. Discussion of the local faults is included in Section 2.3 and Appendix G of the 30% Design. Further geotechnical evaluation of seismic activity will be included as part of the final design and construction plans. The minimum factors of safety for slope stability applicable for this design are adapted from the Army Corps of Engineers Criteria for Earth and Rock-filled Dams (USACE 2003) and include static, seismic, and rapid drawdown conditions. The Trust design documents must be reviewed and approved by EPA before construction takes place. EPA has access to engineering and technical assistance from the Army Corps of Engineers and EPA's Office of Research and Development.

Comment on Property Purchases:

Why would CDA Trust buy out the neighbor that sits next to the new repository area, before the EPA has even listened to public comments? Is this because the EPA is going thru the motions and it has already been decided that the repository is going to be built? Is the Trust (or EPA) going to offer buy outs for the others in the neighborhood whose property value is going to depreciate because of Burke Road being a main haul road and a hazard containment area?

Response:

The Trust purchased the property next to the new repository to provide easy access routes, additional soil borrow material, and space to reduce challenges around construction without negative impacts to adjacent property owners. These benefits are relevant for both Design Options 1 and 2. EPA does not have plans to buy out the nearby neighbors in Woodland Park. We expect that impacts to residents in this area will be limited and short term.

Comment on the Repository's Name:

Tribal staff offers the following suggestions for naming the repository

1) *Canyon Complex Repository*
2) *Canyon Creek Repository, and*
3) *Lower Burke Canyon Repository.*

Response:

Thank you for your input. We've decided to call the new repository Canyon Complex Repository.